

86-00171

OFFICE OF THE ATTORNEY GENERAL



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STATE OF ALABAMA

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Honorable Warren S. Higgins
Executive Secretary
Alabama Board of Funeral
Service
100 Commerce Street
Montgomery, Alabama 36130

Board of Funeral Service,
Apprentices, Employees,
Employers, Employment,
Creditable Service

Period of apprenticeship for
funeral director or embalmer
license must be served in
Alabama.

Dear Mr. Higgins:

You have, on behalf of the Alabama Board of Funeral Service, requested an opinion of this office, as follows:

"Please advise us if the apprentice time addressed in Section 34-13-130(b) Code of Alabama 1975, as last amended, must be served in this state?"

The section in question provides, in pertinent part, as follows:

"The regular course of apprenticeship shall be two years . . . Any applicant for an apprentice certificate or license shall be credited with all time served as such as an apprentice embalmer or funeral director prior to September 10, 1975, upon filing of two affidavits

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Executive Secretary

confirming such service by a licensed
embalmer or funeral director under whom
such service was performed."

In the immediately preceding subsection, the following
appears:

"The period of apprenticeship of a funeral
director's apprentice or an embalmer's
apprentice must be performed in Alabama
under the supervision of a funeral
director or embalmer, respectively,
licensed by the Alabama Board of
Funeral Service."

Reciprocity of licenses is covered under § 34-13-51,
Code, supra, in which the board is given the authority to
make an individual determination that the applicant's
qualifications meet or exceed the minimum qualifications
required for funeral directors and embalmers in this state
and that a written examination of such applicant would be
superfluous. However, there is no provision for reciprocity
respecting the apprentice's license. It is clear, therefore,
that the apprentice time addressed in § 34-13-130(b), Code,
must be served in Alabama under the supervision of an Alabama
licensee. Of course, if the apprentice time is served and
the individual is licensed as a funeral director or embalmer
(or the equivalent thereof) in another state, the reciprocity
provisions allow the board to accept that licensee's
qualifications if they "meet or exceed" the minimum required
in Alabama.

I trust that the foregoing answers the board's question.
If this office can be of any further service, please let us
know.

Yours very truly,

CHARLES A. GRADDICK
Attorney General

By:



PHILIP C. DAVIS
Assistant Attorney General

CAG:PCD:dn